

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

RODERICK WHITE
ADC #92057

PLAINTIFF

V.

NO. 5:07cv00079 JMM-JWC

DR. J. SIMMONS, et al


DEFENDANTS

ORDER

The Court is in receipt of a letter from Plaintiff that shows a postmarked date of May 24, 2007. In this letter, Plaintiff questions why the Court added Dr. Nuumi as a Defendant to this action. Pursuant to Plaintiff's complaint,¹ the Clerk of the Court was directed to add Dr. Nuumi as a party. Plaintiff's complaint specifically states: "I have reason to include Dr. Nuumi to this action for failing to specifically stipulate what I am or am not expected to do, has left the doors open for Warden White, Assistant Warden James, Classification officer Ms. King to interpret his terminology in a way which has detrimentally effect[ed] my job classification Dr. Nuumi, Warden White, Assistant Warden James, and Ms. King are all guilty of assigning me to a job which I should never [have] been assigned to" Under the circumstances, the Court could not have interpreted Plaintiff's complaint any other way; however, Plaintiff now indicates that he did not intend to include Dr. Nuumi as a party on the grounds that he has never exhausted his administrative remedies as to him.

The Clerk of the Court is therefore directed to remove Dr. Nuumi as a Defendant to this action and to withdraw service upon same.

IT IS SO ORDERED this 7 day of June, 2007.


UNITED STATES DISTRICT JUDGE

¹ See page 11.